

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS, INDIANA**

## **COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff, name-above, complains of act and omissions by the Defendant. In support of her Complaint and as cause of action against the Defendant, Plaintiff respectfully submits the following:

## JURISDICTION

1. This suit is authorized and instituted pursuant to Title VII 42 U.S.C. § 2000e and 42 U.S.C. § 1981 as amended by the Civil Rights Act of 1991; 28 U.S.C. §§ 1331 and 1343 and Americans with Disability Act 42 U.S.C.A. § 2000e-5.
2. Plaintiff filed a charge with the Equal Employment Opportunity Commission (EEOC) and received a notice of right to sue on August 20, 2020.

## PARTIES

3. Plaintiff is an African-American female and at all relevant times she resided in the Southern District of Indiana.
4. Defendant is a corporation doing business in the State of Indiana in the Southern District of Indiana.

## **FACTS**

5. Plaintiff began working for the Defendant in October 2017.
6. Plaintiff performed her job well.
7. Plaintiff suffers from a disability.
8. On December 5, 2018, Plaintiff was injured on the job.
9. On September 3, 2019, Plaintiff was placed on permanent restrictions.
10. On September 12, 2019, Defendant terminated Plaintiff because she was placed permanent restrictions.
11. However, Plaintiff could continue to do the job Defendant had placed her in after Plaintiff's injury.
12. Defendant failed to provide Plaintiff with a reasonable accommodation after she was placed on permanent restrictions.
13. A similarly situated Caucasian employee received a reasonable accommodation after he was injured and he was not immediately terminated.
14. Defendant failed to engage in the interactive process.
15. Plaintiff was terminated due to her race.
16. Plaintiff was terminated due to her disability.
17. Plaintiff did not receive a reasonable accommodation.

## **COUNT I**

18. Plaintiff incorporates by reference paragraphs 1-17.
19. Defendant, as a result of terminating Plaintiff due to her race, violated 42 U.S.C. § 1981.

## **COUNT II**

20. Plaintiff incorporates by reference paragraphs 1-17.
21. Defendant, as a result of terminating Plaintiff due to her race, violated Title VII 42 U.S.C. § 2000 et al.

**COUNT III**

22. Plaintiff incorporates by reference paragraphs 1-17.
23. Defendant, as a result of terminating Plaintiff due to her disability, violated Americans with Disability Act 42 U.S.C.A. § 2000e-5.

**COUNT IV**

24. Plaintiff incorporates by reference paragraphs 1-17.
25. Defendant, as a result of failing to provide Plaintiff with a reasonable accommodation, violated Americans with Disability Act 42 U.S.C.A. § 2000e-5.

WHEREFORE, Plaintiff respectfully requests that the Court grant the following relief:

- A. Award Plaintiff back pay and benefits lost;
- B. Award Plaintiff compensatory damages for future pecuniary loss, emotional pain and suffering, inconvenience, mental anguish and loss of enjoyment of life;
- C. Award Plaintiff punitive damages;
- D. Award Plaintiff her cost in this action and reasonable attorney fees;
- E. Grant Plaintiff any other relief which is allowable under the circumstances of this case.

Respectfully Submitted

s//Amber K. Boyd  
Amber K. Boyd #31235-49  
Attorney for Plaintiff

**REQUEST FOR JURY TRIAL**

Comes now the Plaintiff and requests that this cause be tried by a jury.

Respectfully Submitted

s//Amber K. Boyd  
Amber K. Boyd #31235-49  
Attorney for Plaintiff

Amber K. Boyd #31235-49  
Amber Boyd Attorney at Law  
8510 Evergreen Avenue  
Indianapolis, in 46240  
(317) 210-3416